

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences**

In re Patent Application of

Atty Dkt. BJS-3665-122

MALLET et al

Serial No. 10/511,343

Filed: October 15, 2004

Title: OPTIMIZATION OF TRANSGENE EXPRESSION IN MAMMALIAN CELLS

C# M#

Confirmation No. 3751

TC/A.U.: 1633

Examiner: Sajjadi

Date: January 31, 2008

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Correspondence Address Indication Form Attached.

NOTICE OF APPEAL

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting \$510.00 (1401)/\$255.00 (2401) \$ 510.00 applicant's claim(s).

- An appeal **BRIEF** is attached in the pending appeal of the above-identified application \$510.00 (1402)/\$255.00 (2402) \$
- Credit for fees paid in prior appeal without decision on merits -\$ ()
- A reply brief is attached. (no fee)
- Pre-Appeal Brief Request for Review form attached.
- Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$460.00 (1252)/\$230.00 (2252)
Three Month Extensions \$1050.00 (1253)/\$525.00 (2253)
Four Month Extensions \$1640.00 (1254)/\$820.00 (2254) \$ 1050.00
- "Small entity" statement attached.
- Less month extension previously paid on -\$ ()

TOTAL FEE PAID ELECTRONICALLY BY CREDIT CARD \$ 1560.00

CREDIT CARD PAYMENT FORM ATTACHED.

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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BJS:36

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: _____ /B. J. Sadoff/